

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

TONY KIM WHITE,

Petitioner,

v.

STATE OF WASHINGTON,

Respondent.

CASE NO. 3:15-CV-05495-BHS-DWC

ORDER SUBSTITUTING  
RESPONDENT

Petitioner Tony Kim White, who is proceeding *pro se* and *in forma pauperis*, filed a Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2254. In his Petition, Petitioner named the State of Washington as Respondent. The proper respondent to a habeas petition is the “person who has custody over [the petitioner].” 28 U.S.C. § 2242; see also § 2243; *Brittingham v. United States*, 982 F.2d 378 (9th Cir. 1992); *Dunne v. Henman*, 875 F.2d 244, 249 (9th Cir. 1989). According to his Motion to Proceed *In Forma Pauperis*, Petitioner is currently confined at Coyote Ridge Corrections Center in Connell, Washington. See Dkt. 1, p. 2. The Superintendent of the Coyote Ridge Corrections Center is Jeffrey A. Uttecht.

1 Accordingly, the Clerk of Court is directed to substitute Jeffrey A. Uttecht as the  
2 Respondent in this action. The Clerk shall send copies of this Order to Petitioner.

3 Dated this 22<sup>nd</sup> day of July, 2015.

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5 David W. Christel  
6 United States Magistrate Judge  
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